

The **Board of Examiners for Nursing** held a meeting on November 3, 2010 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut.

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**BOARD MEMBERS PRESENT:** Patricia Bouffard, RN, Chair  
Mary M. Brown, RN  
Tarah Cherry, Public Member  
Heidi Darling, LPN  
Jeffrey T. Marvin, Public Member  
Danielle O'Connell, RN  
Maria Pietrantuono, RN  
Donna Roberts, LPN  
Kathy K. Shea, Public Member

**BOARD MEMBERS ABSENT:** Jennifer Long, APRN  
Katherine Pellerin, RN  
Mertie Terry, Public Member

**ALSO PRESENT:** Stacy Owens, Counsel to the Board, DPH  
Jennifer Filippone, Section Chief, DPH  
Diane Cybulski, Supervising Nurse Consultant, DPH  
Pamela Pelletier, Nurse Consultant, DPH  
Matthew Antonetti, Staff Attorney, Legal Office, DPH  
Linda Fazzina, Staff Attorney, Legal Office, DPH  
Joelle Newton, Staff Attorney, Legal Office, DPH  
Leslie Scoville, Staff Attorney, Legal Office, DPH  
Ellen M. Shanley, Staff Attorney, Legal Office, DPH  
Janice E. Wojick, Administrative Assistant, DPH  
Gail Gregoriades, Court Reporter

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Chair Patricia Bouffard called the meeting to order at 8:35 AM.

#### STUDENTS

There were no students in attendance.

#### CHAIR UPDATES

There were no updates for this meeting.

#### OPEN FORUM

There were no comments or questions from the audience.

#### ADDITIONAL AGENDA ITEMS AND REORDERING OF AGENDA

Revised agendas were given to Board Members prior to the meeting.

#### OTHER UPDATES

Jen Filippone announced to the Board that Pam Pelletier would be attending a NCLEX conference and will do a presentation for the Board at the December 15, 2010 meeting. At that time she will discuss the NCLEX and scoring issues.

Also, the Department was awarded a grant for funding from the Centers for Medicare and Medicaid Services for two years for all health care workers caring for the elderly to have background checks. We need to get this passed through the legislature during the upcoming session. This is a mandatory state and federal check.

#### FACT FINDING DELIBERATIONS

The Board discussed whether or not Fact Finding should take place immediately after the hearing or at a later date. If Fact Finding is not done on the day of the hearing, it would be placed on the agenda one month later as to allow time to receive the transcripts in the Board Office from the reporting company, and to provide all Board Members with the transcript and exhibits would have to be provided to the Board Members who were not in attendance at the hearing. Heidi Darling moved, seconded by Donna Roberts, that the decision as to whether or not to Fact Find immediately after the hearing or at a later date, would be handled on a case-by-case basis at the end of each hearing. The motion passed unanimously.

#### SCHOOL ISSUES – CT TECH HIGH SCHOOLS – LPN PROGRAM UPDATE

Patricia Fennessy, CT Technical High School Consultant, was present to provide the Board with updated information regarding the opening of the six LPN Programs. The Department Heads are slated to begin on November 5, 2010. Faculty have been hired for all programs with the exception of Norwich. Pat Fennessy is currently conducting interviews for one more position to be filled for Norwich. Faculty will start on January 14, 2011 and the first day of classes is January 20, 2011. On November 16, 2010 Pam Pelletier and Nancy Stefanski will revisit the Norwich, Kaynor, and Eli Whitney campuses to complete the site visit inspections. Full enrollment is expected at all six locations.

Maria Pietrantuono moved, seconded by Mary Brown, to approve the Department Heads for all six locations as follows: Donna O'Brien at A. I. Prince, Karen Ivers at Bullard Havens, Connie Gibeault at Norwich, Anne Simko at Eli Whitney, Regina Wrenn at Vinal, and Pamela Cramer at W. F. Kaynor. The motion passed unanimously.

#### SCHOOL ISSUES – NORWICH TECH LPN PROGRAM – FIVE-YEAR STUDY

Resumption of the Norwich Tech LPN Program is scheduled for January 3, 2010, after suspension of the State LPN Programs as part of the Governor's Budget Mitigation Plan in January of 2009. This five-year study was due in the fall of 2008.

An on-site visit was made on August 17, 2010 to establish that adequate space and supplies were available to restart the program as previously approved. The space and supplies allotted can easily accommodate 50 students slated to enter the program.

The Board reviewed the five-year study for Norwich Tech. Mary Brown moved to accept the five-year study and grant the program full approval, which was seconded by Maria Pietrantuono. The report submitted was incomplete due to inability to locate survey information obtained over the last five years as the program had relocated for renovations then returned back to the original location when the renovations were completed. The Board requested that the Program Administrator return in November 2011 to provide an update regarding the missing graduate/employer surveys, curriculum evaluation surveys, and clinical site evaluation survey document. The Board also requested that the current NEASC letter and recommendations be provided. The motion passed unanimously.

## SCHOOL ISSUES – CT COMMUNITY COLLEGES – SELF-STUDY REPORT

Present for this discussion were Linda Perfetto, Sheila Solernou, Gateway Community College, Joanne Ottman, Naugatuck Valley Community College, Mary Schuler, Norwalk Community College, Ellen Freeman, Three Rivers Community College, and Cindy Adams, Capital Community College. Chair Bouffard recused herself and Mary Brown chaired this portion of the meeting regarding the five-year school evaluation for the Connecticut Community Colleges. Maria Pietrantuono moved, seconded by Heidi Darling, that the Connecticut Community College Programs have met all regulatory requirements outlined in Criteria 1 through 17 of the Nursing Education Program Review for Registered Nurse Preparatory Programs and were granted full approval. The motion passed unanimously.

## SCHOOL ISSUES – PORTER AND CHESTER – RESUBMISSION FEASIBILITY STUDY

Phyllis DelMastro, Administrator, presented the Board with a resubmission of the Feasibility Study for the Stratford Campus, which was initially reviewed by the Board on June 2, 2010. Also present with Ms. DelMastro were Attorneys Joan Feldman and Vincenzo Carannante. At the June 2, 2010 meeting the Board tabled the request until additional information regarding the Feasibility Study could be provided. The Board had requested the following information:

- updated and supporting documentation for the needs of LPNs
- Job prospects upon graduation
- 3 years of budgetary information, and
- school survey/contact data.

Mary Brown moved and Maria Pietrantuono seconded to accept the Feasibility Study for the new site at the Stratford Campus. The motion passed with all in favor with one abstention, Kathy Shea, and Chair Bouffard was opposed.

## SCHOOL ISSUES – QUINNIPIAC UNIVERSITY – EXTENDING 3 YEAR CLINICAL AGENCY CONTACTS

This was tabled from the October 6, 2010 meeting. After discussion the Board stated that the language in section 20-90-48 (b) (1-2) reads that there must be a signed contract between the college and health care entity and this must be reviewed annually. Contact renewal is at least every three years. The Department will be working with the Board to consider whether a revision of the current regulation to address a longer contractual agreement between the hearing care entity and the nursing program is warranted.

## NCLEX SCORES – THIRD QUARTER

### RN

The RN first time pass rate for CT from July 1, 2010 to September 30, 2010 was calculated to be 89.08% with 705 students taking the exam during this timeframe.

### Capital Community College

Pass rate for this quarter was 79.73%. When contact Cynthia Adams stated that the pass rate was 82.35% based upon her calculations. Ms. Adams' send an e-mail explaining the differences which was forwarded to the Board on October 25, 2010. Ms. Adams was present for this discussion.

### St. Vincent's College Evening Program

Pass rate for this quarter was 73.68% as addressed previously and the plan of correction was approved at the Board's September 1, 2010 meeting.

## LPN

The LPN first time pass rate for CT from July 1, 2010 to September 30, 2010 was calculated to be 89.33% with 225 students taking the exam during this timeframe.

### Vinal Tech LPN Program

The first time pass rate was 66.67% with only three students taking the exam and two students passing. Patricia Fennessy stated the information was incorrect. Vinal Tech graduated 22 students in June and only 13 students have taken the exam per the NCLEX report.

### Lincoln Tech Evening Program Shelton Campus

This program has brought up their first time pass scores from 80.56% to 94.12% with this graduating class of June 2010. The scores were addressed by the Board during the May 5, 2010 meeting and their plan of correction was approved.

## SCOPE OF PRACTICE – SEPTEMBER 2010

Diane Cybulski reviewed the scope of practice calls received in the Department and the Board Office.

## NCSBN UPDATE

Chair Bouffard had nothing new to report from the NCSBN.

## 2011 BOEN MEETING DATES

Due to the state of the budget and the economy, we are trying to keep the meetings located in the Hartford area. As soon as the locations have been secured for the first half of the year, the 2011 BOEN Calendar will be posted on the web site. The second half of the year will be at the LOB.

## APPROVAL OF MINUTES

The Board reviewed the following minutes.

### AUGUST 18, 2010

Maria Pietrantuono moved and Donna Roberts seconded that the minutes be approved as written. The motion passed unanimously.

### SEPTEMBER 1, 2010

Mary Brown moved and Maria Pietrantuono seconded that the minutes be approved as written. The motion passed unanimously.

### SEPTEMBER 15, 2010

Donna Roberts moved and Danielle O'Connell seconded that the minutes be approved as written. The motion passed with all in favor with the exception of Maria Pietrantuono who abstained.

#### MICHAEL HASSELBACHER, RN – REQUEST TO MODIFY JULY 16, 2008 MOD

Legal Office Attorney Matthew Antonetti was present to provide an objection to Mr. Hasselbacher's request to modify the Memorandum of Decision. Michael Hasselbacher sent a letter to the Board requesting modification to be allowed to work as a visiting nurse. Mr. Hasselbacher called and left a voice mail that he planned on attending the meeting. Language in Consent Orders and Memoranda of Decision clearly state that the Respondent shall not be employed as a nurse for a personnel provider service, assisted living service agency, homemaker-home health aide agency, or home health care agency, and shall not be self-employed as a nurse for the period of probation. Mr. Hasselbacher's probation was extended to August 16, 2012 in the MOD issued July 16, 2008. DPH strongly opposed any such modification as Mr. Hasselbacher had violated his probation in both a Consent Order and a Memorandum of Decision and is now subject to his current probation. DPH stated that given the Respondent's prolonged disciplinary history and relapses, he should not be permitted to serve as a visiting nurse and the Respondent's present Memorandum of Decision should remain unmodified. Maria Pietrantuono moved and Heidi Darling seconded that Mr. Hasselbacher's request to modify his Memorandum of Decision be denied. The motion passed unanimously.

#### MEMORANDUM OF DECISION – LORRAINE MUNGER, LPN

The Board was presented with a Memorandum of Decision for Lorraine Munger. Maria Pietrantuono moved and Donna Roberts seconded to accept the Memorandum of Decision as presented. The motion passed unanimously. Chair Bouffard signed the Memorandum of Decision.

#### MOTION FOR SUMMARY SUSPENSION – LESLIE MATEJEK, RN

Legal Office Attorney Ellen M. Shanley presented the Board with a Motion for Summary Suspension for Leslie Matejek. Ms. Matejek was not present and neither was her counsel, Attorney Kevin Condon. Donna Roberts moved and Mary Brown seconded to grant the Motion for Summary Suspension. The motion passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for November 17, 2010.

#### MOTION TO WITHDRAW STATEMENT OF CHARGES – AMANDA SMITH, RN

Legal Office Attorney Ellen M. Shanley presented the Board with a Motion to Withdraw Statement of Charges as Ms. Smith has signed a Voluntary Surrender Affidavit. Mary Brown moved and Danielle O'Connell seconded to grant the Motion to Withdraw Statement of Charges. The motion passed with all in favor with the exception of Kathy Shea who was opposed. Chair Bouffard signed the Motion.

#### HEARING – MARC BILODEAU, RN

Legal Office Attorney Linda Fazzina was present representing the Department of Public Health. Mr. Bilodeau was present without representation at this hearing. Testimony was provided by Mr. Bilodeau.

Donna Roberts moved and Danielle O'Connell seconded that Mr. Bilodeau be found as charged as he has admitted to all of the charges. The motion passed unanimously.

Donna Roberts moved and Mary Brown seconded that Mr. Bilodeau's license be placed on probation for two years with coursework in Ethics, Scope of Practice, and Medication Administration, monthly employer reports, and the Summary Suspension would be lifted upon review of the coursework by the Department of Public Health. The motion failed as all were opposed.

A new motion was raised by Donna Roberts to extend Mr. Bilodeau's probation for two years along with coursework in Ethics, Scope of Practice, and Medication Administration, and employer reports are to be provided every other month. The motion was seconded by Danielle O'Connell and passed unanimously.

A friendly amendment was made by Kathy Shea, seconded by Heidi Darling, to lift the Summary Suspension immediately. The motion failed as Maria Pietrantuono, Donna Roberts, Danielle O'Connell, Tarah Cherry, and Mary Brown were opposed.

A new motion was raised by Kathy Shea to lift the Summary Suspension upon the successful completion of the coursework. The motion was seconded by Heidi Darling and passed with all in favor with the exception of Tarah Cherry who was opposed.

To sum everything up after all the motions and the amendments, Mr. Bilodeau's probation has been extended for two years following the successful completion of coursework in Ethics, Scope of Practice, and Medication Administration, with employer reports to be provided every other month. Upon the successful completion of the coursework, the Summary Suspension would be lifted.

#### REINSTATEMENT HEARING – CAROLE RUGGIERO-RUIZ, RN

Legal Office Attorney Linda Fazzina was present representing the Department of Public Health. Ms. Ruggiero-Ruiz was present without representation at this hearing. Testimony was provided by Ms. Ruggiero-Ruiz.

Maria Pietrantuono moved and Tarah Cherry seconded that Ms. Ruggiero-Ruiz' request to reinstate her license be denied at this time. Documents were out-of-date, there was a lack of defined plans, treatment reports, and drug screen reports. The motion passed unanimously.

#### ADJOURNMENT

It was the unanimous decision of the Board Members present that this meeting be adjourned at 1:05 PM.

The **Board of Examiners for Nursing** held a meeting on November 17, 2010 at the Legislative Office Building, Room 1-A, 300 Capitol Avenue, Hartford, Connecticut

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**BOARD MEMBERS PRESENT:** Patricia Bouffard, RN, Chair  
Mary M. Brown, RN  
Tarah Cherry, Public Member  
Jennifer Long, APRN  
Jeffrey T. Marvin, Public Member  
Danielle O'Connell, RN  
Maria Pietrantuono, RN  
Donna Roberts, LPN  
Kathy K. Shea, Public Member

**BOARD MEMBERS ABSENT:** Heidi Darling, LPN  
Katherine Pellerin, RN

**ALSO PRESENT:** Joanne V. Yandow, Counsel to the Board, DPH  
Diane Cybulski, Supervising Nurse Consultant, DPH  
Linda Fazzina, Staff Attorney, Legal Office, DPH  
Leslie Scoville, Staff Attorney, Legal Office, DPH  
Ellen M. Shanley, Staff Attorney, Legal Office, DPH  
David Tilles, Staff Attorney, Legal Office, DPH  
Diane Wilan, Staff Attorney, Legal Office, DPH  
Janice E. Wojick, Administrative Assistant, DPH  
Gail Gregoriades, Court Reporter

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Chair Patricia Bouffard called the meeting to order at 8:32 AM.

#### STUDENTS

Chair Bouffard welcomed students from Goodwin College and the University of Connecticut.

Chair Bouffard provided the students with an overview of the Board's responsibilities, jurisdiction, and nursing education programs.

#### BOARD MEMBER RESIGNATION

Chair Bouffard apprised the Board that Mertie Terry, Public Member, e-mailed her resignation to the Board Office on November 10, 2010. Mertie felt that she was only able to participate part-time due to job obligations and that it was not fair to the nurses who put their faith in the decisions of the Members of the Board to have someone who could not dedicate the time needed to make an informed decision on each case. She enjoyed working with the Board and leaves with a greater understanding of the Board's professionalism and with a greater appreciation for their fair and conscientious decisions. The Board wishes Mertie well in her future endeavors.

#### MOTION FOR SUMMARY SUSPENSION – ELIZABETH DAVIS, LPN

Legal Office Attorney Diane Wilan presented the Board with a Motion for Summary Suspension for Elizabeth Davis. Ms. Davis was not present and did not have representation at this meeting. Jennifer Long moved and Mary Brown seconded that the Motion for Summary Suspension be granted. The motion passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for December 1, 2010.

#### MOTION FOR SUMMARY SUSPENSION – LYNN GUION, RN

Legal Office Attorney David Tilles presented the Board with a Motion for Summary Suspension for Lynn Guion. Ms. Guion was not present and did not have representation at this meeting. Maria Pietrantuono moved and Jennifer Long seconded that the Motion for Summary Suspension be granted. The motion passed unanimously. Chair Bouffard signed the Summary Suspension Order and the Notice of Hearing scheduling the hearing for December 1, 2010.

#### PREHEARING REVIEW/CONSENT ORDER – ANTOINETTE M. VOSE, RN

Legal Office Attorney Leslie Scoville presented the Board with a Prehearing Review/Consent Order for Antoinette M. Vose. Ms. Vose was present without representation at this meeting. Mary Brown moved and Tarah Cherry seconded to accept the Consent Order as written. The motion passed with all in favor with the exception of Kathy Shea who was opposed. After reviewing this Consent Order the Board had concerns as to when the new language will be added to all Consent Orders and Memoranda of Decision regarding cough syrup and any other items that may contain alcohol and which possibly could test positive for alcohol.

#### MEMORANDUM OF DECISION – SAMANTHA TOWNE, RN

The Board reviewed the Memorandum of Decision provided via e-mail. Maria Pietrantuono moved and Jennifer Long seconded to affirm the Board's prior decision to revoke Ms. Towne's license. The motion passed with all in favor with the exception of one abstention, Tarah Cherry.

Break 9:20 AM – 9:38 AM

#### 2011 MEETING LOCATION UPDATE

Janice Wojick will check with the Department of Transportation and Jennifer Long will check into the former Newington Children's Hospital as possibilities for meeting locations for 2011.

#### PREHEARING REVIEW/CONSENT ORDER – JOHN DiGIOVANNI, RN, APRN

Legal Office Attorney Ellen M. Shanley presented the Board with a Prehearing Review/Consent Order for John DiGiovanni. Mr. DiGiovanni was present with counsel, Attorney Martha Murray. Mary Brown moved and Tarah Cherry seconded to accept the Consent Order as written. The motion passed unanimously.

#### PREHEARING REVIEW/CONSENT ORDER – DIANE PETROSKI, RN, APRN

Legal Office Attorney Ellen M. Shanley presented the Board with a Prehearing Review/Consent Order for Diane Petroski. Ms. Petroski was present without representation at this meeting. Maria Pietrantuono moved and Donna Roberts seconded to accept the Consent Order as written. The motion passed unanimously.

#### HEARING – CATHERINE M. FLANNERY, LPN

This is the third hearing scheduled in this matter. Legal Office Attorney Linda Fazzina was present representing the Department of Public Health. Ms. Flannery was present with Attorney Robert Ricketts. Testimony was provided by Susan Tine and Ms. Flannery.

Jennifer Long moved and Maria Pietrantuono seconded that Ms. Flannery be found on all charges with the exception of 4a. The motion passed with all in favor.



Jennifer Long moved and Maria Pietrantuono seconded that once Ms. Flannery's license has been reinstated, it will be restricted to probation for four years, with quarterly employer reports, and coursework in Ethics and Scope of Practice. Maria Pietrantuono made a friendly amendment that during the first year of probation that the employer reports be required every other month and then quarterly for the remainder of the probationary period. There are no employer restrictions. The motion passed with all in favor with the exception of Tarah Cherry who was opposed.

Kathy Shea moved, seconded by Maria Pietrantuono, to reprimand Ms. Flannery's license. The motion failed as only Kathy Shea, Maria Pietrantuono, and Tarah Cherry were in favor, all others were opposed.

#### ADJOURNMENT

It was the unanimous decision of the Board Members present that this meeting be adjourned at 10:40 AM.